

11/21/01

A

Box Seal

Please type a plus sign (+) inside this box ☐

Attorney Docket P2730P1C61
PATENT

EV 048 195 218 US Express Mail Number

November 19, 2001 Date of Deposit

11/19/01
09/989735
U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi Ashkenazi, San Mateo, CA
Kevin P. Baker, Darnestown, MD
David Botstein, Belmont, CA
Luc Desnoyers, San Francisco, CA
Dan Eaton, San Rafael, CA
Napoleone Ferrara, San Francisco, CA
Sherman Fong, Alameda, CA
Hanspeter Gerber, San Francisco, CA
Mary E. Gerritsen, San Mateo, CA
Audrey Goddard, San Francisco, CA
Paul J. Godowski, Hillsborough, CA
J. Christopher Grimaldi, San Francisco, CA
Austin L. Gurney, Belmont, CA
Ivar J. Kljavin, Lafayette, CA
Mary A. Napier, Hillsborough, CA
James Pan, Belmont, CA
Nicholas F. Paoni, Belmont, CA
Margaret Ann Roy, San Francisco,
Timothy A. Stewart, San Francisco, CA
Daniel Tumas, Orinda, CA
Colin K. Watanabe, Moraga, CA
P. Mickey Williams, Half Moon Bay, CA
William I. Wood, Hillsborough, CA
Zemin Zhang, Foster City, CA

Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME

1. Type of Application

[] This application is for an original, non-provisional application.

- [] This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- [X] This is a continuation application claiming priority under 35 USC §120 to US serial number 09/941,992 filed 8/28/01 which claims priority under 35 USC §120 to US serial numbers 08/743698 filed 11/6/96, 08/876698 filed 6/16/97, now abandoned, 08/965056 filed 11/5/97, US Patent No: 6,271,198 issued 8/7/01, 09/105413 filed 6/26/98, 09/168978 filed 10/7/98, 09/187368 filed 11/6/98, 09/202054 filed 12/7/98, 09/218517 filed 12/22/98, now abandoned, 09/254311 filed 3/3/99, 09/254460 filed 3/9/99, now abandoned, 09/267213 filed 3/12/99, now abandoned, 09/284291 filed 4/12/99, now abandoned, 09/380137 filed 8/25/99, now abandoned, 09/380138 filed 8/25/99, now abandoned, 09/380139 filed 8/25/99, 09/403296 filed 10/18/99, now abandoned, 09/423844 filed 11/12/99, now abandoned, 09/664610 filed 9/18/00, now abandoned, 09/665350 filed 9/18/00, 09/709238 filed 11/8/00, 09/808689 filed 3/14/01, now abandoned, 09/854816 filed 5/15/01, 09/866028 filed 5/25/01, 09/866034 filed 5/25/01, 09/872035 filed 6/1/01, 09/882636 filed 6/14/01, now abandoned, and which claims priority under 35 USC §120 to PCT international application numbers PCT/US97/20069 filed 11/5/97, PCT/US98/19330 filed 9/16/98, PCT/US98/19437 filed 9/17/98, now abandoned, PCT/US98/21141 filed 10/7/98 PCT/US98/25108 filed 12/1/98, PCT/US99/00106 filed 1/5/99, now abandoned PCT/US99/05028 filed 3/8/99, PCT/US99/12252 filed 6/2/99, PCT/US99/21090 filed 9/15/99, PCT/US99/21547 filed 9/15/99, PCT/US99/28313 filed 11/30/99, PCT/US99/28301 filed 12/1/99, PCT/US99/28634 filed 12/1/99, PCT/US99/30095 filed 12/16/99, PCT/US99/30911 filed 12/20/99, PCT/US00/00219 filed 1/5/00, now abandoned PCT/US00/00376 filed 1/6/00, now abandoned, PCT/US00/03565 filed 2/11/00, PCT/US00/04341 filed 2/18/00, PCT/US00/04414 filed 2/22/00, PCT/US00/04914 filed 2/24/00, now abandoned, PCT/US00/05004 filed 2/24/00, PCT/US00/05841 filed 3/2/00, PCT/US00/06319 filed 3/10/00, now abandoned, PCT/US00/06884 filed 3/15/00, PCT/US00/07377 filed 3/20/00, PCT/US00/08439 filed 3/30/00, PCT/US00/13358 filed 5/15/00, PCT/US00/14042 filed 5/22/00, PCT/US00/15264 filed 6/2/00, PCT/US00/13705 filed 5/17/00, PCT/US00/14941 filed 5/30/00, PCT/US00/20710 filed 7/28/00, PCT/US00/22031 filed 8/11/00, PCT/US00/23522 filed 8/23/00, PCT/US00/23328 filed 8/24/00, PCT/US00/30952 filed 11/8/00, PCT/US00/32678 filed 12/1/00, PCT/US01/06520 filed 2/28/01, PCT/US01/17800 filed 6/1/01, PCT/US01/19692 filed 6/20/01, PCT/US01/21066 filed 6/29/01, PCT/US01/21735 filed 7/9/01, and which claims priority under 35 USC § 119 to US provisional application numbers 60/049787 filed 6/16/97, 60/062250 filed 10/17/97, 60/065186 filed 11/12/97, 60/065311 filed 11/13/97, 60/066770 filed 11/24/97, 60/075945 filed 2/25/98, 60/078910 filed 3/20/98, 60/083322 filed 4/28/98, 60/084600 filed 5/7/98, 60/087106 filed 5/28/98, 60/087607 filed 6/2/98, 60/087609 filed 6/2/98, 60/087759 filed 6/2/98, 60/087827 filed 6/3/98, 60/088021 filed 6/4/98, 60/088025 filed 6/4/98, 60/088026 filed 6/4/98, 60/088028 filed 6/4/98, 60/088029 filed 6/4/98, 60/088030 filed 6/4/98, 60/088033 filed 6/4/98, 60/088326 filed 6/4/98, 60/088167 filed 6/5/98, 60/088202 filed 6/5/98, 60/088212 filed 6/5/98, 60/088217 filed 6/5/98, 60/088655 filed 6/9/98, 60/088734 filed 6/10/98, 60/088738 filed 6/10/98, 60/088742 filed 6/10/98, 60/088810 filed 6/10/98, 60/088824 filed 6/10/98, 60/088826 filed 6/10/98, 60/088858 filed 6/11/98, 60/088861 filed 6/11/98, 60/088876 filed 6/11/98, 60/089105 filed 6/12/98, 60/089440 filed 6/16/98,

1065186 filed 11/12/97, 60/065311 filed 11/13/97, 60/066770 filed 11/24/97, 60/075945 filed 2/25/98, 60/078910 filed 3/20/98, 60/083322 filed 4/28/98, 60/084600 filed 5/7/98, 60/087106 filed 5/28/98, 60/087607 filed 6/2/98, 60/087609 filed 6/2/98, 60/087759 filed 6/2/98, 60/087827 filed 6/3/98, 60/088021 filed 6/4/98, 60/088025 filed 6/4/98, 60/088026 filed 6/4/98, 60/088028 filed 6/4/98, 60/088029 filed 6/4/98, 60/088030 filed 6/4/98, 60/088033 filed 6/4/98, 60/088326 filed 6/4/98, 60/088167 filed 6/5/98, 60/088202 filed 6/5/98, 60/088212 filed 6/5/98, 60/088217 filed 6/5/98, 60/088655 filed 6/9/98, 60/088734 filed 6/10/98, 60/088738 filed 6/10/98, 60/088742 filed 6/10/98, 60/088810 filed 6/10/98, 60/088824 filed 6/10/98, 60/088826 filed 6/10/98, 60/088858 filed 6/11/98, 60/088861 filed 6/11/98, 60/088876 filed 6/11/98, 60/089105 filed 6/12/98, 60/089440 filed 6/16/98,

60/089512 filed 6/16/98, 60/089514 filed 6/16/98, 60/089532 filed 6/17/98, 60/089538 filed 6/17/98, 60/089598 filed 6/17/98, 60/089599 filed 6/17/98, 60/089600 filed 6/17/98, 60/089653 filed 6/17/98, 60/089801 filed 6/18/98, 60/089907 filed 6/18/98, 60/089908 filed 6/18/98, 60/089947 filed 6/19/98, 60/089948 filed 6/19/98, 60/089952 filed 6/19/98, 60/090246 filed 6/22/98, 60/090252 filed 6/22/98, 60/090254 filed 6/22/98, 60/090349 filed 6/23/98, 60/090355 filed 6/23/98, 60/090429 filed 6/24/98, 60/090431 filed 6/24/98, 60/090435 filed 6/24/98, 60/090444 filed 6/24/98, 60/090445 filed 6/24/98, 60/090472 filed 6/24/98, 60/090535 filed 6/24/98, 60/090540 filed 6/24/98, 60/090542 filed 6/24/98, 60/090557 filed 6/24/98, 60/090676 filed 6/25/98, 60/090678 filed 6/25/98, 60/090690 filed 6/25/98, 60/090694 filed 6/25/98, 60/090695 filed 6/25/98, 60/090696 filed 6/25/98, 60/090862 filed 6/26/98, 60/090863 filed 6/26/98, 60/091360 filed 7/1/98, 60/091478 filed 7/2/98, 60/091544 filed 7/1/98, 60/091519 filed 7/2/98, 60/091626 filed 7/2/98, 60/091633 filed 7/2/98, 60/091628 filed 7/2/98, 60/091646 filed 7/2/98, 60/091673 filed 7/2/98, 60/091978 filed 7/7/98, 60/091982 filed 7/7/98, 60/092182 filed 7/9/98, 60/092472 filed 7/10/98, 60/093339 filed 7/20/98, 60/094651 filed 7/30/98, 60/095282 filed 8/4/98, 60/095285 filed 8/4/98, 60/095302 filed 8/4/98, 60/095318 filed 8/4/98, 60/095321 filed 8/4/98, 60/095301 filed 8/4/98, 60/095325 filed 8/4/98, 60/095916 filed 8/10/98, 60/095929 filed 8/10/98, 60/096012 filed 8/10/98, 60/096143 filed 8/11/98, 60/096146 filed 8/11/98, 60/096329 filed 8/12/98, 60/096757 filed 8/17/98, 60/096766 filed 8/17/98, 60/096768 filed 8/17/98, 60/096773 filed 8/17/98, 60/096791 filed 8/17/98, 60/096867 filed 8/17/98, 60/096891 filed 8/17/98, 60/096894 filed 8/17/98, 60/096895 filed 8/17/98, 60/096897 filed 8/17/98, 60/096949 filed 8/18/98, 60/096950 filed 8/18/98, 60/096959 filed 8/18/98, 60/096960 filed 8/18/98, 60/097022 filed 8/18/98, 60/097141 filed 8/19/98, 60/097218 filed 8/20/98, 60/097661 filed 8/24/98, 60/097952 filed 8/26/98, 60/097954 filed 8/26/98, 60/097955 filed 8/26/98, 60/098014 filed 8/26/98, 60/097971 filed 8/26/98, 60/097974 filed 8/26/98, 60/097978 filed 8/26/98, 60/097986 filed 8/26/98, 60/097979 filed 8/26/98, 60/098525 filed 8/31/98, 60/100634 filed 9/16/98, 60/100858 filed 9/17/98, 60/113296 filed 12/22/98, 60/123957 filed 3/12/99, 60/141037 filed 6/23/99, 60/143048 filed 7/7/99, 60/144758 filed 7/20/99, 60/145698 filed 7/26/99, 60/146222 filed 7/28/99, 60/149396 filed 8/17/99, 60/158663 filed 10/8/99, 60/213637 filed 6/23/00, 60/230978 filed 9/7/00, the entire disclosures of which are hereby incorporated by reference.

2. **Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)**

566 pages of specification
25 pages of claims
1 page(s) of abstract
330 sheet(s) of drawings
☒ formal ☐ informal

3. **Declaration or Oath**

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
 ___ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
☒ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
☐ An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

(for cont./div.)
☒ The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

☐ Cancel in this application original claims ___ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	20	- 20 =	0	X \$18.00	\$0.00
Independent Claims	3	- 3 =	0	X \$80.00	\$0.00
<input type="checkbox"/> Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$710.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
☒ Submission of electronic and paper copy of Sequence Listing. I hereby state that the Sequence Listing submitted herewith is submitted in paper copy and a computer-readable diskette, and that the information recorded in computer readable form is identical to the written sequence listing. I further state that this submission includes no new matter.
☒ Other: Post card.

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- _____ A petition, fee and/or response has been filed to extend the term in the pending prior application until
 _____ A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

X Address all future communications to:

Paul E. Rauch, Ph.D.
 Registration No. 38,591 - Customer No. 28,442
 Brinks, Hofer, Gilson & Lione
 NBC Tower - Suite 3600
 455 N. Cityfront Plaza Drive
 Chicago, IL 60611-5599
 Telephone: 312-321-4780 -Facsimile: 312-321-4299
 Email: prauch@brinkshofer.com

Respectfully submitted,
 GENENTECH, INC.

By:

Elizabeth M. Barnes

Elizabeth M. Barnes, Ph.D.
 Reg. No. 35,059
 Telephone No. (650) 225-4563

Date: November 19, 2001



09157

PATENT TRADEMARK OFFICE